IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 591 (SS) of 2007

1. Jai Kishan Thapliyal, son of Sri Shankar Mani Thapliyal, R/o Uppar Chopra, Kotdwar Road, Pauri, District-Pauri Garhwal.

2. Bharat Bhusan, S/o Kuwar Singh, R/o Village-Kandai Malli Patti Padulsyun, P.O. – Parusundakhal, Tehsil-Pauri, District-Pauri Garhwal.

…….. Petitioners.

Versus

1. State of Uttarakhand through Principal Secretary, Revenue Department, Civil Secretariat, Dehradun.
2. Commissioner Garhwal Mandal Pauri, District-Pauri Garhwal.
3. District Magistrate, Pauri Gahrwal.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri R.K. Shah, learned counsel for the petitioners and Sri H.M. Raturi, learned Standing Counsel for State of Uttarakhand on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

By means of this writ petition, the petitioners have prayed to issue a writ in the nature of Mandamus directing respondent no. 1 to issue necessary instruction and guidelines on the basis of the recommendation to fill up vacant posts of Collection Amin and Collection Peon.

The stand of the petitioner is that in District-Pauri Garhwal posts of Collection Amin and Collection Peon have

already been filled by respondents, however, some posts are still vacant.

Commissioner, Garhwal Mandal, Pauri vide letter dated 06.03.2007 sought direction from Principal Secretary, Revenue Department, Uttarakhand Shashan, Dehradun regarding mode to fill up those posts which are still lying vacant.

Learned standing counsel for the respondents has submitted that there is no question of seeking direction of Commissioner, Garhwal Mandal, Pauri from the Principal Secretary, Revenue Department, Dehradun. Relevant rules are available for making appointment on the post of Collection Amin. So far as the post of Collection Peon is concerned, the Government has already issued orders time to time.

The Commissioner, Garhwal Mandal, Pauri and District Magistrate, Pauri Garhwal may act according to the directions issued by the Government while making appointment against the vacant post.

With this direction, the writ petition as well as interim relief application is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

May 25, 2007
SKSHARMA